

**SUMMARY OF TESTIMONY**  
**OF JOHN R. NJORD ON BEHALF OF**  
**THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS**  
**REGARDING**  
**TRANSPORTATION CONFORMITY PROVISIONS IN H.R. 3**  
**THE TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS**

Time Horizon for Conformity Determinations in Nonattainment Areas (Section 1824(c))

We request two changes:

- 1) Regional emissions analysis for the “out-years” should be for *informational purposes only*
- 2) *MPOs should consult with air quality agencies on the time horizon for conformity determinations; air quality agencies should not be provided a concurrence, and hence veto authority over the conformity process.*

Coordinate Planning Update Cycles

We request that the update cycle for metropolitan plans, Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Programs (STIPs) be increased *to at least every 5 years* from 4 years provided in H.R. 3.

Conformity to the End of the Maintenance Period (Section 1824(c))

We request one change:

- 1) Conformity should be limited to the end of the maintenance period. *No concurrence role should be provided to the air quality agency.*

Conformity Lapse (Section 1824(e))

We support the H.R. 3 language allowing 12 months to correct deficiencies prior to a lapse.

Transition to New Air Quality Standards Before New Motor Vehicle Budgets are Available

We request additional language to H.R. 3. *MPOs should have the option to use existing budgets or other emission tests* prior to new motor vehicle budgets being available for a new federal air quality standard. The inconsistencies in nonattainment area boundaries under the 1-hour and 8-hour ozone standards, for example, require some flexibility be provided to MPOs conducting regional emissions analysis prior to the availability of new motor vehicle emissions budgets for the new standard.